

Amendments to House Bill No. 40
1st Reading Copy

Requested by Representative Jill Cohenour

For the House Natural Resources Committee

Prepared by Joe Kolman
January 21, 2009 (1:28pm)

1. Title, page 1, line 9.

Strike: "PROVIDING FOR" through "INFORMAL HEARING;"

2. Page 4, line 22.

Following: "applicant"

Strike: "and"

Insert: ", "

Following: "(2) (d)"

Insert: ", and persons who may claim standing pursuant to 85-2-308"

3. Page 6, line 20 through line 22.

Strike: "hearing" on line 20 through "conditions" on line 22

Insert: "contested case hearing, pursuant to Title 2, chapter 4, part 6, on the objection within 90 days from the date set by the department for the filing of objections"

4. Page 6, line 24 through line 25.

Strike: "The applicant" on line 24 through "criteria." on line 25

5. Page 6, line 26.

Strike: "The department shall allow for discovery."

6. Page 7, line 11.

Following: "(1)"

Insert: "(a)"

7. Page 7.

Following: line 22

Insert: "(b)(i) Upon request from the applicant, the department shall appoint a hearing examiner who did not participate in the preliminary determination.

(ii) The applicant may make only one request pursuant to this subsection (1)(b) for a different hearing examiner."

8. Page 8, line 2.

Strike: "may consider" through "conditions and"

Insert: "shall"

- END -